tor's competency, she was entitled to hold the office, notwithstanding her ineligibility to vote for herself. Judge Letton, specially concurring in the conclusions, doubts the correctness of the right of a woman to hold such an office under the common law of England; but takes the position that, owing to changed conditions in this country, the right should here be granted, irrespective of ancient custom or common law. Judge Fawcett dissents, saying that, if a woman is eligible to such an office as that involved, she is just as eligible to the office of Governor, and, while agreeing that many women would make better Governors than some the state has had, he thinks it rests with the Legislature, and not with the court, to specifically declare their eligibility, and that no one should be allowed to hold an office who cannot vote for a candidate for it. The case is reported in 125 Northwestern Reporter, 619, under the title State ex rel. Jordan *v.* Quible.

Inexcusable Homicide.—The case of State *v.* Brecount, 107 Pacific Reporter, 763, presents some rather novel questions of law and fact in regard to liability for homicide. At the time of the accident resulting in death, a band concert was in progress on a temporary stand erected in one of the streets of Arkansas City, where defendant was employed as a member of the fire department. A large crowd of people having gathered in the street to listen to the music, the fire chief, who was intoxicated and had been off duty all day concluded it would be fine sport to turn in a false alarm and scatter the crowd by driving rapidly through it for the supposed purpose of reaching the fire. After communicating his ideas to defendant, the two proceeded to carry them out. The chief turned in a fake alarm, defendant hitched up the chief's horse, and they started down the street toward the crowd as fast as they could get the horse to run, defendant driving and the chief whipping the horse. Their vehicle struck a buggy, which overturned, injuring one of the occupants so seriously as to cause her death. The Kansas statutes make homicide excusable when committed by accident or misfortune, or in doing any other lawful act by lawful means with usual and ordinary caution and without unlawful intent. The Supreme Court of Kansas, in passing on defendant's conviction of manslaughter, holds that the intent governs and that, as the injury was the result of reckless, wanton, and uncalled-for acts of defendant, the intent was unlawful, and the homicide inexcusable.

Abusive Letters By Attorneys.—Plaintiff in error, in Peters *v.* State, 51 Southern Reporter, 952, who was engaged in the practice of law in Alabama, having received a claim for collection, wrote the following letter to the debtor:

"Dear Sirs: I wish to call your attention to the above matter,

and to remind you that it is unpaid. If you knew how contemptible you appear in this matter you would pay this bill at once. If you do not pay this bill in a short time, I shall have to proceed in some other way to collect it. I know how worthless and contemptible you are, but this is news to you."

Now, there is a statute of Alabama making it a crime to send a threatening or abusive letter which tends to provoke a breach of the peace. The Alabama Supreme Court classes the letter above set out as being of this character, and holds that the fact that it was written by an attorney for the purpose of trying to make a collection is no defense.

There can be little doubt that threatening is one of the modes of disturbing the public peace, and is intended to be punished criminally. It is also actionable under the statute of insulting words.

Where Is a Mormon's Abode?—Mr. Heber J. Grant was a Mormon missionary and the husband of two wives; the first being Augusta and the second Emily. Determining to do missionary work in England, Mr. Grant took Emily and her six children along with him to the Old World, leaving Augusta behind. She thereafter built a house in Utah. Action was brought in one of the Utah courts against Mr. Grant, and process served by leaving it at the house occupied by his first wife. Judgment was rendered by default, and after Grant's return he brought suit in equity to have it set aside on the theory that no process had ever been legally served on him. On the part of the plaintiff in the former action, it was claimed that Augusta, being his first wife, was the only legal wife, and a presumption arose that her home was the usual place of abode of her husband, justifying service by leaving a copy with some suitable person not less than 14 years of age. The Utah Supreme Court, passing on this question in Grant *v.* Lawrence, 108 Pacific Reporter, 931, decided that the evidence showed that, irrespective of any question of legality of marriage, Grant's usual place of abode was not with his first wife, and process left at her home did not constitute a legal service upon him.

Insurance—Conditions of Policy—Change of Ownership.—A fire policy on a storehouse recited that it was made subject to the following stipulations and conditions, among others: That the entire policy should be void "if the interest of the insured be other than unconditional and sole ownership; or if the subject of insurance be a building on ground not owned by the insured in fee simple; or if any change, other than by death of the insured, take place in the interest, title, or possession of the subject of insurance (except change of occupants without increase of hazard), whether by legal process or judgment, or voluntary act of the insured, or otherwise." When the